

1-1 By: Hill (Senate Sponsor - Wentworth) H.B. No. 2087
1-2 (In the Senate - Received from the House April 16, 2007;
1-3 April 17, 2007, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 18, 2007, reported favorably by
1-5 the following vote: Yeas 3, Nays 0; May 18, 2007, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the holding by a county, municipality, or junior
1-10 college district of a petition-initiated election on whether to
1-11 establish a limitation on increases in the amount of ad valorem
1-12 taxes imposed by the county, municipality, or junior college
1-13 district on residence homesteads of the elderly or disabled.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Section 11.261, Tax Code, is amended by adding
1-16 Subsections (a-1), (a-2), and (a-3) to read as follows:

1-17 (a-1) This subsection applies only to a county, general-law
1-18 municipality, or junior college district that, in any 36-month
1-19 period, has held at least two elections under Section 1-b(h),
1-20 Article VIII, Texas Constitution, each of which was called on
1-21 receipt of a petition under that section and at each of which the
1-22 voters of the county, general-law municipality, or junior college
1-23 district did not approve the establishment of a limitation on
1-24 county, municipal, or junior college district tax increases under
1-25 that section. Notwithstanding the subsequent receipt of a valid
1-26 petition under Section 1-b(h), Article VIII, Texas Constitution,
1-27 the county, municipality, or junior college district may not hold
1-28 another election under that section before the third anniversary of
1-29 the date of the most recent of the two elections held in a 36-month
1-30 period under that section by the county, municipality, or junior
1-31 college district.

1-32 (a-2) Subsection (a-1) may not be construed to:

1-33 (1) prohibit the governing body of a county,
1-34 general-law municipality, or junior college district from
1-35 establishing, at any time and by its own action in the manner
1-36 required by law for official action, a limitation on county,
1-37 municipal, or junior college district tax increases under Section
1-38 1-b(h), Article VIII, Texas Constitution; or

1-39 (2) prohibit the governing body of a county,
1-40 general-law municipality, or junior college district that is
1-41 authorized by a law outside this code to call, without a voter
1-42 petition, an election under Section 1-b(h), Article VIII, Texas
1-43 Constitution, from calling, at any time and by its own action in the
1-44 manner required by law for official action, a subsequent election
1-45 under that section to allow the voters of the county, municipality,
1-46 or junior college district to determine whether to establish a
1-47 limitation on county, municipal, or junior college district tax
1-48 increases under that section.

1-49 (a-3) This subsection applies only to a home-rule
1-50 municipality that, in any 36-month period, has held at least two
1-51 elections under Section 1-b(h), Article VIII, Texas Constitution,
1-52 each of which was called on receipt of a petition under that section
1-53 and at each of which the voters of the home-rule municipality did
1-54 not approve the establishment of a limitation on municipal tax
1-55 increases under that section. On the subsequent receipt of a valid
1-56 petition under Section 1-b(h), Article VIII, Texas Constitution,
1-57 the governing body of the municipality shall order an election on
1-58 the question but, notwithstanding any other state or local law, may
1-59 choose to hold the election as part of the next regularly scheduled
1-60 election for municipal officers that occurs after the date the
1-61 governing body of the municipality orders the election and that
1-62 allows sufficient time to prepare the ballot in compliance with
1-63 other requirements of law.

1-64 SECTION 2. This Act takes effect September 1, 2007.

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